

IFW

PATENT APPLICATION
Attorney Docket No. PP019737.0004

I hereby certify that this paper (and all documents referred to herein) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date entered below.

12/19/07
Date

[Signature]
Arrendle Brown

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In Re Application of:

NORAIS et al

U.S. Appln. No.: 10/535,168

Filed: 6/29/2006

Title: UNEXPECTED SURFACE PROTEINS IN
MENINGOCOCCUS

Confirmation No.: 5751

Group Art Unit: 1645

Examiner: P. DUFFY

**RESPONSE TO NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, mailed from the United States Patent and Trademark Office on December 10, 2007, enclosed herewith are the following documents.

1. **COPY OF** Notification to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.
2. **TRANSMITTAL OF SEQUENCE LISTING INCLUDING:**
 - a. Statements Under 37 C.F.R. 1.821(f) and (g), including statement specifically directing entry of the sequence listing into the application.
 - b. Paper Copy of the Sequence Listing (285 pages).
 - c. Compact Disk Containing CRF Copy of Sequence Listing (1 CD).
3. **RETURN RECEIPT POSTCARD.**

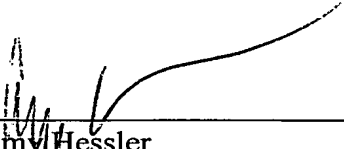
The Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment associated with this communication and which may be required under 37 C.F.R. 1.16 and 1.17 to Deposit Account No. 03-1664.

Respectfully submitted,
NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Date: _____

12/17/07

By: _____


Amy Hessler
Registration No. 50,310

NOVARTIS VACCINES AND DIAGNOSTICS, INC.
Corporate Intellectual Property – R338
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-3833
Facsimile: (510) 655-3542



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,168	06/29/2006	Nathalie Norais	PP019737.0004	5751

27476 7590 12/10/2007
NOVARTIS VACCINES AND DIAGNOSTICS INC.
INTELLECTUAL PROPERTY R338
P.O. BOX 8097
Emeryville, CA 94662-8097

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F/F	M/D	Inv.	RF	ASG	PA

EXAMINER

DUFFY, PATRICIA ANN

ART UNIT	PAPER NUMBER
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1645

MAIL DATE	DELIVERY MODE
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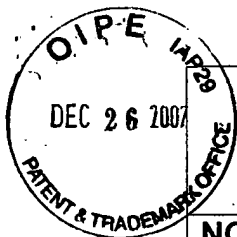
12/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DOCKETED on/by 12/13/07, 76
Atty. ALH PA
File # 51719-65121
Due Date _____ Ext _____
Final Date 1/10/08
PP 19737.0004



Notice to Comply

Application No.

10/535,168

Examiner

DUFFY

Applicant(s)

NORAS

Art Unit

1645

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.**
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923

For CRF Submission Help, call (703) 308-4212 or 308-2923

PatentIn Software Program Support

Technical Assistance.....703-287-0200

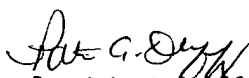
To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

The communication filed on 6-7-07 is not fully responsive for the reason(s) set forth herein.

Since the response appears to be bona fide, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR § 1.136(a).**

Any inquiry concerning this communication should be directed to the examiner, Patricia A. Duffy, Ph.D, Technology Center 1600, Group 1640, Art Unit 1645, whose telephone number is (571) 272-0855. The examiner can normally be reached on weekdays from 7 a.m. to 5 p.m. If unable to reach the examiner, Shanon Foley, SPE, can be contacted at (571) 272-0898.


Patricia A. Duffy, Ph.D.
Primary Examiner

10/535,167

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Sequence Listing could not be accepted due to errors.

See attached Validation Report.

If you need help call the Patent Electronic Business Center at (866)
217-9197 (toll free).

Reviewer: Anne Corrigan

Timestamp: Fri Jun 08 18:59:17 EDT 2007

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Reviewer Comments:

Arg Gly Leu

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Please delete the "1" at the end of the submitted file; this appears
after Sequence 217.
